

COMMISSIONERS APPROVAL

CHILCOTT 

THOMPSON 

LYONS 

PLETTENBERG (Clerk & Recorder)

Date.....February 27, 2007

Members Present.....Commissioner Greg Chilcott,
Commissioner Alan Thompson and Commissioner Howard Lyons

Minutes: Glenda Wiles

Commissioner Chilcott was in Washington, D.C. regarding the Secure Rural Schools Act.

The Board of County Commissioners met for the creation of a resolution for election results on Interim Zoning. This resolution is simply a 'house keeping' resolution so the Certificate of Election/ballot language and ballot count could have a number assigned for a recorded document which allows county personnel and citizens the ability to locate the document. Commissioner Lyons made a motion to approve of Resolution No. 2038. Commissioner Thompson seconded the motion and all voted "aye".

The Board met briefly with Civil Counsel and City of Hamilton Administrative Assistant Steve Green to review the documents for the easement through the county's property south of the fairgrounds (where the current ball fields are located at Fairgrounds and Mill Street) for the Skeels Bypass Project for their sewer line. Civil Counsel Alex Beal stated the easement language gives the city exclusive right to determine where utilities would go in the 20' easement. The Board concurred that would not be a problem. The language also states that nothing can be built on top of the easement, which is standard. The Board concurred they had no problem with that language. Alex also noted the easement states if there happens to be a leak in their sewer lines, they can repair but they do not have to 'fix' the ground such as putting the sod back, compaction etc., and that would be the responsibility of the county. The Board concurred they were not in favor of that language and advised Steve to change that language requiring the city to be responsible for all repairs which includes the top portion of the ground where the repairs start. Steve stated he would make that change and obtain the proper city signatures, bringing the easement back to the county for signatures and recording. The Board concurred stating this approval was granted at a previous Commissioner meeting.

The Board addressed the memo from Civil Counsel Alex Beal in regard to his review of the contract for Master Card Multi Card service with First Interstate Bank. Alex expressed concern over the guarantee page which he stated need to be removed and the

issue of responsibility for charges. Marie Sewell of First Interstate Bank was put on conference call and the responsibility for charges was explained with the approval of Civil Counsel. The Board then signed the agreement based on an earlier motion to **proceed with the agreement** with the review of civil counsel.

In other business, the Board of County Commissioners met for a Request for Commissioner Action on the Gill Expedited Subdivision. Minutes of that meeting are as follows:

**Ravalli County Board of County Commissioners (BCC)
Minutes for 4:00 p.m. Meeting on February 27, 2007
Commissioners Meeting Room, 215 S. 4th Street, Hamilton, Montana**

1. Call to order

Commissioner Thompson called the meeting to order at 4:00 p.m.

2. BCC and Staff

(A) BCC

Greg Chilcott (Absent)
Alan Thompson (Present)
Howard Lyons (Present)

(B) Staff

Tristan Riddell

3. Public Meeting

(A) Gill Expedited Minor Subdivision

(i) Board action on the Subdivision Proposal

(a) Board Decision

Commissioner Lyons made a motion to **approve** the Gill expedited minor subdivision, based on the findings of fact and conclusions of law in the staff report, and subject to the conditions in the staff report, amending the following:

- Condition 1 to state: **Notification of Restricted Zone.** Within this subdivision there is a restricted zone located on Lots 1 and 2, to restrict building in areas within 50 feet of the ordinary high water mark of Skalkaho Creek on Lot 1 and

within 100 feet of the ordinary high water mark of Skalkaho Creek or the modeled/calculated 100-year floodplain, whichever is greater on Lot 2. No new structure with the exception of fences may be constructed in this area. In addition to fences, Lot 2 may also construct an irrigation pumphouse with associated irrigation infrastructure within the restricted zone. No new utilities, with the exception of wells, may be constructed in this area. No fill may be placed in this area and the vegetation shall be retained in its natural condition. The footprint of the existing home on Lot 1 shall not be expanded in the direction of Skalkaho Creek. Roads, trails, and utility crossings through this area are not permitted.

- Condition 5 to state: Alternatively, the subdivider may provide evidence that a \$500 contribution has been made to the Hamilton Rural Fire District with the final plat submittal in lieu of the required water supply or water storage for fire protection for the newly created lot.
- Condition 6 to state: The subdivider shall submit a letter or receipt from the Hamilton School District stating that they have received a \$250 contribution prior to final plat approval for the newly created lot.
- Condition 9 to state: The final plat shall show a restricted zone extending horizontally 50 feet from the ordinary high water mark of Skalkaho Creek on Lot 1 and a restricted zone extending horizontally 100 feet from the ordinary high water mark or the extent of the modeled/calculated 100-year floodplain whichever is greater on Lot 2.

Commissioner Thompson seconded the motion and the Commissioners voted 2-0 to **approve** the subdivision.

The Board of County Commissioners made a site visit to the Markette Expedited Subdivision.